

FIFTEENTH DAY

(Thursday, January 31, 1963)

The Senate met at 2:00 o'clock p.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Krueger
Bates	Moffett
Blanchard	Moore
Calhoun	Owen
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crum	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Spears
Harrington	Strong
Herring	Watson
Kazen	Word
Kennard	

Absent—Excused

Hazlewood Schwartz

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

Leaves of Absence

Senator Schwartz was granted leave of absence for today on account of important business on motion of Senator Kazen.

Senator Hazlewood was granted leave of absence for today on account of important business on motion of Senator Aikin.

Message from the House

Hall of the House of Representatives,
Austin, Texas,
January 31, 1963.

Hon. Preston Smith, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. B. No. 7, A bill to be entitled "An Act repealing Chapter 26, Acts

of the 56th Legislature, Second Called Session, 1959, as amended by Chapter 59, Acts of the 57th Legislature, First Called Session, 1961 (compiled as Article 8280-243 of Vernon's Texas Civil Statutes), relating to the Palo Duro River Authority; and declaring an emergency."

H. B. No. 54, A bill to be entitled "An Act abolishing the office of county superintendent in all counties in this State having a population of not less than three hundred thousand (300,000) nor more than three hundred and fifty thousand (350,000); providing that the duties of county superintendents on the effective date of this Act shall be performed by the county judges of such counties; providing compensation for the duties of such county judges; repealing all laws and parts of laws that conflict herewith; and declaring an emergency."

Respectfully submitted,

DOROTHY HALLMAN,

Chief Clerk, House of Representatives

Report of Standing Committee

Senator Rogers submitted the following report:

Austin, Texas,
January 31, 1963.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Constitutional Amendments, to whom was referred S. J. R. No. 2, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

ROGERS, Chairman.

Senate Bills on First Reading

The following bills were introduced, read first time and referred to the committees indicated:

By Senator Parkhouse:

S. B. No. 215, A bill to be entitled "An Act amending Article 3.11 of the Insurance Code of the State of Texas to provide for the valuation of certain guarantees in life insurance policies and coupons issued on or after the operative date of Article 3.44a; amending Article 3.28, to enact the Standard Valuation Law prescribing requirements for the valuation of the reserve liabilities for life insurance policies

and annuity and pure endowment contracts; repealing Article 3.30; amending Sections 7 and 8 of Article 3.44, to provide for nonforfeiture benefits and cash surrender values of life insurance policies issued on or after the operative date of Article 3.44a; amending Chapter Three, Insurance Code of the State of Texas, so as to add thereto a new Article 3.44a enacting the Standard Non-forfeiture Law prescribing requirements for the computation of non-forfeiture benefits and cash surrender values for life insurance policies; amending Article 3.46 to limit the application of said Article to policies and contracts issued prior to the operative date of Article 3.44a; amending Article 3.50 relating to group life insurance policies, to repeal Sections 4 and 5 thereof and amend Section 3 thereof; amending subsections (e), (f) and (g) of Section 2 of Article 3.52 to provide for non-forfeiture benefits and cash surrender values of industrial life insurance policies issued on or after the operative date of Article 3.44a; repealing Article 11.09 and amending Article 11.19 to make the provisions hereof applicable to domestic mutual life insurance companies; providing a severability clause; and declaring an emergency."

To the Committee on Insurance.

By Senator Strong:

S. B. No. 216, A bill to be entitled "An Act relating to the rights of beneficiaries of pension, retirement, death benefit, stock bonus and profit-sharing plans, systems or trusts, and of beneficiaries of annuities and supplemental insurance contracts; and declaring an emergency."

To the Committee on Insurance.

By Senator Cole:

S. B. No. 217, A bill to be entitled "An Act providing for the regulation of motor vehicle driving schools, setting forth procedures therefor; providing for certain penalties; and declaring an emergency."

To the Committee on State Affairs.

By Senators Moore and Creighton:

S. B. No. 218, A bill to be entitled "An Act amending Section 1 of Chapter 442, Acts of the 44th Legislature, Second Called Session, as last amended, which is codified as Article 3886f, Vernon's Texas Civil Statutes, to in-

crease the salary of district attorneys in all judicial districts to Ten Thousand Dollars (\$10,000); placing all county attorneys performing the duties of district attorney on a salary basis of compensation and fixing the minimum amount of such salary; providing for deposit of fees in the county treasury; providing for payments by the state into the Officer's Salary Fund of each county having a county attorney performing the duties of district attorney; stating the effect of this Act on other laws and repealing all laws and parts of laws in conflict; setting an effective date; and declaring an emergency."

To the Committee on Finance.

By Senator Herring:

S. B. No. 219, A bill to be entitled "An Act amending Chapter 351, Acts of the 49th Legislature, 1945, as amended; relating to the assessing and collecting of ad valorem taxes in municipalities and districts by adding a new section to said Chapter 351, Acts of the 49th Legislature, 1945, as amended, to be known as Section 1a, granting the authority to the municipality or district that is being rendered the tax service, the authority to adopt the laws, ordinances, liens, charters and procedures applicable to the municipality or district that is rendering the tax service; amending Section 2a and validating thereby all ordinances, resolutions and acts adopted, performed or rendered by any municipality or district and its officials under the terms and provisions and authority of Chapter 351, Acts of the 49th Legislature, 1945, as amended; and declaring an emergency."

To the Committee on State Affairs.

By Senator Herring:

S. B. No. 220, A bill to be entitled "An Act amending Section 8 of Chapter 245, Acts of the 51st Legislature, Regular Session, 1949 (Section 8 of Article 5221a-6, Vernon's Texas Civil Statutes), relating to fees which private employment agents or agencies may charge applicants for employment; and declaring an emergency."

To the Committee on State Affairs.

Senate Resolution 82

Senator Aikin offered the following resolution:

Whereas, The Lamar County Sher-

iff's Posse participated in the parade following the Inauguration of Governor John Connally and Lieutenant Governor Preston Smith; and

Whereas, This fine group of Lamar County citizens made a substantial contribution to the success of this part of the Inauguration; and

Whereas, The Senate desires to express appreciation to the Lamar County Sheriff's Posse; now, therefore, be it

Resolved, That a copy of this resolution be forwarded to the Members of this Posse under the seal of the Senate and signatures of the Presiding Officer and Secretary of the Senate.

The resolution was read and was adopted.

Welcome Resolutions

S. R. No. 83—By Senator Herring: Extending welcome to Mrs. Henry O'Neal of Ames, Iowa, who is the mother of Mrs. Leonard J. Sayers of Austin.

Memorial Resolution

S. R. No. 81—By Senator Watson: Memorial resolution for Mrs. Ed A. (Gladys Ruby) Reichert.

Adjournment

On motion of Senator Moffett the Senate at 2:18 o'clock p.m. adjourned until 11:00 o'clock a.m. on Monday, February 4, 1963.

Record of Votes

Senators Patman and Parkhouse asked to be recorded as voting "Nay" on the motion to adjourn.

SIXTEENTH DAY

(Monday, February 4, 1963)

The Senate met at 11:00 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Crump
Bates	Dies
Blanchard	Hall
Calhoun	Hardeman
Cole	Harrington
Colson	Hazlewood
Creighton	Herring

Kazen	Reagan
Kennard	Richter
Krueger	Rogers
Moffett	Schwartz
Moore	Spears
Owen	Strong
Parkhouse	Watson
Patman	Word
Ratliff	

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, January 31, 1963, was dispensed with and the Journal was approved.

Message from the House

Hall of the House of Representatives
Austin, Texas,
February 4, 1963.

Hon. Preston Smith, President of the Senate:

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. C. R. No. 5, Designating February of each year as American History Month.

Respectfully submitted,

DOROTHY HALLMAN,
Chief Clerk, House of Representatives

Senate Bills on First Reading

The following bills were introduced, read first time and referred to the committee indicated:

By Senators Herring, Patman, Richter and Krueger:

S. B. No. 221, A bill to be entitled "An Act amending Sections 3, 11, 12, 15, 16, 17, 25, 26, 27 and 28 of Acts 1937, 45th Legislature, Page 161, Chapter 86, as amended by Acts 1957, Fifty-Fifth Legislature, Chapter 290, (codified as Article 1528b, Vernon's Annotated Civil Statutes) so as to authorize electric cooperatives to serve any structure, apparatus, or point of delivery located in a rural area, or, under certain conditions, in an area which was a rural area when the corporation first undertook service therein; providing for corporate by-laws, qualifications and votes of members, membership lists and liability, as to quorum and proxy voting, for